

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA : NO. 1:08-CR-00122
: :
v. : : **OPINION and ORDER**
: :
CHRISTOPHER METZ : :
: :

This matter is before the Court on Christopher Metz' pro
se Motion to Vacate under 28 U.S.C. §2255 (doc. 50) and the
Government's response (doc. 52).

Mr. Metz was sentenced by the Court on November 25, 2009 to 84 months of imprisonment followed by three years of supervised release. He filed the instant motion, asserting that he is not getting credit from the Bureau of Prisons for the time he served in the Hamilton County Justice Center prior to his federal sentencing (doc. 50). Unfortunately for Mr. Metz, as noted by the Government, the time period for filing this motion has long-since passed. Pursuant to the Antiterrorism and Effective Death Penalty Act, Mr. Metz had one year from the date his judgment of conviction became final to file this motion. It was filed nearly two and a half years after and is thus well over a year late. Consequently, it must be, and hereby is, DENIED (doc. 50).

SO ORDERED.

Dated: July 11, 2012

s/S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge